

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

WYNDHAM VACATION
RESORTS, INC.,

Plaintiff,

v.

WESLEY FINANCIAL GROUP, LLC
CHARLES MCDOWELL, III,
and
JOHN and JANE DOES 1-10,

Defendants.

Case No. 3:12-cv-559

Judge Nixon
Magistrate Judge Knowles

JURY DEMAND

DAKSH
Turn motion
26 RAND
Will
10/18/12

**PLAINTIFF'S MOTION FOR LEAVE TO FILE A
REPLY IN SUPPORT OF PLAINTIFF'S MOTION TO
PROHIBIT DEFENDANTS FROM RELYING UPON ANY WITNESSES,
DOCUMENTS OR EVIDENCE IN SUPPORT IF ITS CLAIMS OR DEFENSES**

COMES NOW Plaintiff, Wyndham Vacation Resorts, Inc., ("Wyndham") by and through its counsel, and, pursuant to Local Rule 7.01(b), and files this Motion for Leave to File a Reply to respond to the issues and arguments raised by Defendants in their Response, Doc. 34, to Wyndham's Motion, and states as follows:

As fully set forth in its Reply, attached hereto as Exhibit A, Wyndham seeks to respond to issues and arguments raised by Defendants including: (1) Defendants' assertions that they have now cured their Rule 26(a) failures; and (2) Defendant's claim that their failure to provide adequate Initial Disclosures was substantially justified or harmless.

Accordingly, Wyndham asks this Court to grant it leave to file a Reply to address these issues and arguments.